



# House of Representatives

General Assembly

**File No. 37**

January Session, 2015

House Bill No. 6671

*House of Representatives, March 10, 2015*

The Committee on Government Administration and Elections reported through REP. JUTILA of the 37th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

***AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS FOR TECHNICAL AND MINOR REVISIONS TO THE GOVERNMENT ADMINISTRATION STATUTES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (12) of section 1-79 of the general statutes, as  
2 amended by section 4 of public act 14-222, is repealed and the  
3 following is substituted in lieu thereof (*Effective October 1, 2015*):

4 (12) "Quasi-public agency" means Connecticut Innovations,  
5 Incorporated, the Connecticut Health and Education Facilities  
6 Authority, the Connecticut Higher Education Supplemental Loan  
7 Authority, the Connecticut Student Loan Foundation, the Connecticut  
8 Housing Finance Authority, the State Housing Authority, the Materials  
9 Innovation and Recycling Authority, the Capital Region Development  
10 Authority, the Connecticut Lottery Corporation, the Connecticut  
11 Airport Authority, [the Health Information Technology Exchange of  
12 Connecticut,] the Connecticut Health Insurance Exchange, the

13 Connecticut Green Bank, [and] the Connecticut Port Authority and the  
14 State Education Resource Center.

15 Sec. 2. Subdivision (1) of section 1-120 of the general statutes, as  
16 amended by section 5 of public act 14-222, is repealed and the  
17 following is substituted in lieu thereof (*Effective October 1, 2015*):

18 (1) "Quasi-public agency" means Connecticut Innovations,  
19 Incorporated, the Connecticut Health and Educational Facilities  
20 Authority, the Connecticut Higher Education Supplemental Loan  
21 Authority, the Connecticut Student Loan Foundation, the Connecticut  
22 Housing Finance Authority, the Connecticut Housing Authority, the  
23 Materials Innovation and Recycling Authority, the Capital Region  
24 Development Authority, the Connecticut Lottery Corporation, the  
25 Connecticut Airport Authority, [the Health Information Technology  
26 Exchange of Connecticut,] the Connecticut Health Insurance Exchange,  
27 the Connecticut Green Bank, [and] the Connecticut Port Authority and  
28 the State Education Resource Center.

29 Sec. 3. Section 1-124 of the general statutes, as amended by section 6  
30 of public act 14-222, is repealed and the following is substituted in lieu  
31 thereof (*Effective October 1, 2015*):

32 (a) Connecticut Innovations, Incorporated, the Connecticut Health  
33 and Educational Facilities Authority, the Connecticut Higher  
34 Education Supplemental Loan Authority, the Connecticut Student  
35 Loan Foundation, the Connecticut Housing Finance Authority, the  
36 Connecticut Housing Authority, the Materials Innovation and  
37 Recycling Authority, [the Health Information Technology Exchange of  
38 Connecticut,] the Connecticut Airport Authority, the Capital Region  
39 Development Authority, the Connecticut Health Insurance Exchange,  
40 the Connecticut Green Bank, [and] the Connecticut Port Authority and  
41 the State Education Resource Center shall not borrow any money or  
42 issue any bonds or notes which are guaranteed by the state of  
43 Connecticut or for which there is a capital reserve fund of any kind  
44 which is in any way contributed to or guaranteed by the state of  
45 Connecticut until and unless such borrowing or issuance is approved

46 by the State Treasurer or the Deputy State Treasurer appointed  
47 pursuant to section 3-12. The approval of the State Treasurer or said  
48 deputy shall be based on documentation provided by the authority  
49 that it has sufficient revenues to (1) pay the principal of and interest on  
50 the bonds and notes issued, (2) establish, increase and maintain any  
51 reserves deemed by the authority to be advisable to secure the  
52 payment of the principal of and interest on such bonds and notes, (3)  
53 pay the cost of maintaining, servicing and properly insuring the  
54 purpose for which the proceeds of the bonds and notes have been  
55 issued, if applicable, and (4) pay such other costs as may be required.

56 (b) To the extent Connecticut Innovations, Incorporated, the  
57 Connecticut Higher Education Supplemental Loan Authority, the  
58 Connecticut Student Loan Foundation, the Connecticut Housing  
59 Finance Authority, the Connecticut Housing Authority, the Materials  
60 Innovation and Recycling Authority, the Connecticut Health and  
61 Educational Facilities Authority, [the Health Information Technology  
62 Exchange of Connecticut,] the Connecticut Airport Authority, the  
63 Capital Region Development Authority, the Connecticut Health  
64 Insurance Exchange, the Connecticut Green Bank, [or] the Connecticut  
65 Port Authority or the State Education Resource Center is permitted by  
66 statute and determines to exercise any power to moderate interest rate  
67 fluctuations or enter into any investment or program of investment or  
68 contract respecting interest rates, currency, cash flow or other similar  
69 agreement, including, but not limited to, interest rate or currency swap  
70 agreements, the effect of which is to subject a capital reserve fund  
71 which is in any way contributed to or guaranteed by the state of  
72 Connecticut, to potential liability, such determination shall not be  
73 effective until and unless the State Treasurer or his or her deputy  
74 appointed pursuant to section 3-12 has approved such agreement or  
75 agreements. The approval of the State Treasurer or his or her deputy  
76 shall be based on documentation provided by the authority that it has  
77 sufficient revenues to meet the financial obligations associated with the  
78 agreement or agreements.

79 Sec. 4. Section 1-125 of the general statutes, as amended by section 7

80 of public act 14-222, is repealed and the following is substituted in lieu  
81 thereof (*Effective October 1, 2015*):

82 The directors, officers and employees of Connecticut Innovations,  
83 Incorporated, the Connecticut Higher Education Supplemental Loan  
84 Authority, the Connecticut Student Loan Foundation, the Connecticut  
85 Housing Finance Authority, the Connecticut Housing Authority, the  
86 Materials Innovation and Recycling Authority, including ad hoc  
87 members of the Materials Innovation and Recycling Authority, the  
88 Connecticut Health and Educational Facilities Authority, the Capital  
89 Region Development Authority, [the Health Information Technology  
90 Exchange of Connecticut,] the Connecticut Airport Authority, the  
91 Connecticut Lottery Corporation, the Connecticut Health Insurance  
92 Exchange, the Connecticut Green Bank, [and] the Connecticut Port  
93 Authority and the State Education Resource Center and any person  
94 executing the bonds or notes of the agency shall not be liable  
95 personally on such bonds or notes or be subject to any personal  
96 liability or accountability by reason of the issuance thereof, nor shall  
97 any director or employee of the agency, including ad hoc members of  
98 the Materials Innovation and Recycling Authority, be personally liable  
99 for damage or injury, not wanton, reckless, wilful or malicious, caused  
100 in the performance of his or her duties and within the scope of his or  
101 her employment or appointment as such director, officer or employee,  
102 including ad hoc members of the Materials Innovation and Recycling  
103 Authority. The agency shall protect, save harmless and indemnify its  
104 directors, officers or employees, including ad hoc members of the  
105 Materials Innovation and Recycling Authority, from financial loss and  
106 expense, including legal fees and costs, if any, arising out of any claim,  
107 demand, suit or judgment by reason of alleged negligence or alleged  
108 deprivation of any person's civil rights or any other act or omission  
109 resulting in damage or injury, if the director, officer or employee,  
110 including ad hoc members of the Materials Innovation and Recycling  
111 Authority, is found to have been acting in the discharge of his or her  
112 duties or within the scope of his or her employment and such act or  
113 omission is found not to have been wanton, reckless, wilful or  
114 malicious.

115 Sec. 5. Subsection (d) of section 4-168a of the general statutes is  
116 repealed and the following is substituted in lieu thereof (*Effective from*  
117 *passage*):

118 (d) The requirements contained in this section shall not apply to  
119 emergency regulations issued pursuant to subsection [(f)] (g) of section  
120 4-168; regulations that do not affect small businesses directly,  
121 including, but not limited to, regulations concerning the  
122 administration of federal programs; regulations concerning costs and  
123 standards for service businesses such as nursing homes, long-term care  
124 facilities, medical care providers, day care facilities, water companies,  
125 nonprofit 501(c)(3) agencies, group homes and residential care  
126 facilities; and regulations adopted to implement the provisions of  
127 sections 4a-60g to 4a-60i, inclusive.

128 Sec. 6. Subsection (f) of section 4-170 of the general statutes is  
129 repealed and the following is substituted in lieu thereof (*Effective from*  
130 *passage*):

131 (f) If an agency fails to submit any regulation approved in whole or  
132 in part by the standing legislative regulation review committee to the  
133 office of the Secretary of the State as provided in section 4-172, not later  
134 than fourteen days after the date of approval, the agency shall notify  
135 the committee, not later than five days after such fourteen-day period,  
136 of its reasons for failing to submit such regulation. If any agency fails  
137 to comply with the time limits established under subsection [(b)] (c) of  
138 section 4-168, or under subsection (e) of this section, the administrative  
139 head of such agency shall submit to the committee a written  
140 explanation of the reasons for such noncompliance. The committee,  
141 upon the affirmative vote of two-thirds of its members, may grant an  
142 extension of the time limits established under subsection [(b)] (c) of  
143 section 4-168 and under subsection (e) of this section. If no such  
144 extension is granted, the administrative head of the agency shall  
145 personally appear before the standing legislative regulation review  
146 committee, at a time prescribed by the committee, to explain such  
147 failure to comply. After any such appearance, the committee may,

148 upon the affirmative vote of two-thirds of its members, report such  
149 noncompliance to the Governor. [Within] Not later than fourteen days  
150 thereafter, the Governor shall report to the committee concerning the  
151 action the Governor has taken to ensure compliance with the  
152 provisions of section 4-168 and with the provisions of this section.

153 Sec. 7. Subsection (a) of section 4-258 of the general statutes is  
154 repealed and the following is substituted in lieu thereof (*Effective from*  
155 *passage*):

156 (a) Any agency seeking to enter into a public-private partnership  
157 shall conduct a competitive procurement process for the selection of a  
158 contractor. The agency shall use, where appropriate, in accordance  
159 with the nature and scope of the project, (1) competitive bidding, as  
160 defined in section 4e-1, or (2) competitive negotiation, as defined in  
161 section [4a-250] 4a-50.

162 Sec. 8. Subsection (b) of section 17b-354c of the general statutes is  
163 repealed and the following is substituted in lieu thereof (*Effective from*  
164 *passage*):

165 (b) No later than December 31, 2001, the commissioner shall publish  
166 proposed regulations pursuant to subsections (a) to [(e)] (f), inclusive,  
167 of section 4-168 implementing this section.

168 Sec. 9. Section 11-4a of the general statutes is repealed and the  
169 following is substituted in lieu thereof (*Effective from passage*):

170 Each commission, task force or committee appointed by the  
171 Governor or the General Assembly, or both, and required to report its  
172 findings and recommendations, and each state agency which submits a  
173 report to the General Assembly or any committee of the General  
174 Assembly, shall submit its report electronically to the clerks of the  
175 Senate and the House of Representatives and the Office of Legislative  
176 Research, and shall file one copy with the State Librarian. [Any report  
177 submitted pursuant to subsection (n) of section 17b-179 may be in  
178 electronic form.]

179 Sec. 10. Section 13b-212b of the general statutes is repealed and the  
180 following is substituted in lieu thereof (*Effective from passage*):

181 (a) There is established a Connecticut Commuter Rail Council which  
182 shall consist of fifteen members appointed with the advice and consent  
183 of the General Assembly, all of whom shall be (1) commuters who  
184 regularly use the transportation services of the New Haven commuter  
185 railroad line which includes the New Canaan, Danbury and Waterbury  
186 branches of such line, (2) commuters who regularly use the  
187 transportation services of the Shoreline East railroad line, or (3)  
188 residents of a municipality in which the Commissioner of  
189 Transportation has proposed a new rail line or in which a rail line has  
190 commenced operation after July 1, 2013. Members shall be appointed  
191 as follows: (A) The Governor shall appoint four members, one of  
192 whom shall be the chief elected official of a municipality located on an  
193 operating or proposed new rail line; (B) the president pro tempore of  
194 the Senate shall appoint three members; (C) the speaker of the House  
195 of Representatives shall appoint three members; (D) the minority  
196 leader of the Senate shall appoint one member; (E) the minority leader  
197 of the House of Representatives shall appoint one member; (F) the  
198 chairpersons of the joint standing committee of the General Assembly  
199 having cognizance of matters relating to transportation shall each  
200 appoint one member, one of whom shall be from a municipality in  
201 which the Commissioner of Transportation has proposed a new rail  
202 line or in which a rail line has commenced operation after July 1, 2013,  
203 and one of whom shall be from a municipality in which a station for  
204 the Shoreline East railroad line is located; and (G) the ranking  
205 members of said committee shall jointly appoint one member who  
206 shall be from a municipality served by the Danbury or Waterbury  
207 branches of the New Haven commuter railroad line. Each member  
208 shall serve for a term of four years, [commencing on August 1, 2013.]  
209 All initial appointments to the council shall be made by August 1,  
210 2013, and initial members shall serve a four-year term commencing on  
211 August 1, 2013. Any vacancy shall be filled by the original appointing  
212 authority by appointment for the unexpired portion of any term.  
213 Members of the council shall serve until their respective successors are

214 appointed and approved by the General Assembly.

215 (b) The members of the council shall choose one of the members of  
 216 the council to be chairperson of the council. A majority of the members  
 217 of the council then in office shall constitute a quorum for the  
 218 transaction of any business, and action shall be by vote of a majority of  
 219 the members present at a meeting. The council shall meet at least once  
 220 during each calendar quarter and at such other times as the  
 221 chairperson deems necessary or upon the request of a majority of the  
 222 members in office. Special meetings shall be held at the request of such  
 223 majority after notice in accordance with the provisions of section 1-225.  
 224 Any member who fails to attend fifty per cent of all meetings held  
 225 during any calendar year or who fails to attend three consecutive  
 226 meetings shall be deemed to have resigned from office.

227 Sec. 11. Subsection (b) of section 46a-55 of the general statutes is  
 228 repealed and the following is substituted in lieu thereof (*Effective from*  
 229 *passage*):

230 (b) The executive director, through the supervising attorney, may  
 231 assign a commission legal counsel to represent the commission in any  
 232 hearing or appeal under subdivision [(3)] (2) of subsection [(b)] (e) of  
 233 section 4-61dd.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2015	1-79(12)
Sec. 2	October 1, 2015	1-120(1)
Sec. 3	October 1, 2015	1-124
Sec. 4	October 1, 2015	1-125
Sec. 5	from passage	4-168a(d)
Sec. 6	from passage	4-170(f)
Sec. 7	from passage	4-258(a)
Sec. 8	from passage	17b-354c(b)
Sec. 9	from passage	11-4a
Sec. 10	from passage	13b-212b
Sec. 11	from passage	46a-55(b)

**GAE**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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***OFA Fiscal Note******State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill, which modifies certain definitions and requirements in the government administration statutes, has no fiscal impact.

***The Out Years******State Impact:*** None***Municipal Impact:*** None

**OLR Bill Analysis****HB 6671*****AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS FOR TECHNICAL AND MINOR REVISIONS TO THE GOVERNMENT ADMINISTRATION STATUTES.*****SUMMARY:**

This bill makes minor and technical changes in government administration statutes. Specifically, it amends the definition of “quasi-public agency” to incorporate changes made in 2014 public acts that were not codified because of conflicting effective dates. It clarifies that both initial and successive members of the Connecticut Commuter Rail Council serve four-year terms and are confirmed by the General Assembly. Finally, the bill corrects internal references and removes a redundant reporting provision.

**EFFECTIVE DATE:** Upon passage, except for the sections reconciling the 2014 public acts, which are effective October 1, 2015.

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable

Yea 15    Nay 0    (02/25/2015)